

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: March 23, 2011
POSITION: Oppose

BILL NUMBER: AB 1016
AUTHOR: K. Achadjian

BILL SUMMARY: Inmates: State Hospitals: Reimbursement of Costs

This bill would specify the appropriation to reimburse counties for trial costs of mentally disordered inmates housed in a state hospital.

FISCAL SUMMARY

This bill would require the State Controller's Office, on behalf of the California Department of Corrections and Rehabilitation (CDCR), to pay county costs associated with mentally disordered offender hearings from an existing CDCR local assistance appropriation. We note that no funding is currently appropriated by the Legislature to pay for these claims. In addition, the mandates that this measure would now fund have been specifically suspended by the Legislature in the Budget Act of 2011. As such, this measure would result in additional General Fund costs that are not included in CDCR's budget.

COMMENTS

The Department of Finance is opposed to this bill because it would result in additional General Fund costs at a time when the state is facing a significant budget deficit and it would subvert the Budget Act of 2011 by requiring a suspended state mandate to be paid from a CDCR appropriation.

Current law requires counties to submit a statement for all nontreatment costs incurred by the county relating to a trial or hearing for a person who is confined to a state hospital, as specified, to the controller for approval. Current law also requires that the state pays those costs out of money appropriated by the Legislature, as specified. There is no current appropriation, specified by the Legislature, to pay these costs.

This bill would require the CDCR to pay these costs out of its existing local assistance appropriation.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
5225/Corr & Rehab	SO	No	----- See Fiscal Summary -----						0001

Analyst/Principal (0233) J. Howard	Date	Program Budget Manager Lisa Ann L. Mangat	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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